

**In the United States District Court
for the Northern District of California
District Judge Edward M. Chen**

CIVIL MINUTES

Date: December 12, 2013 **Time:** 11:31-12:00

Case No. and Name: C12-5667 EMC Nextdoor.com, Inc. v. Abhyanker, et al.

Attorneys: Laurence Pulgram and Jennifer Kelly for Plaintiff
Heather Norton for Defendant Abhyanker
Harpreet Walia for Counter-Defendant Sood
Matt Rawlinson for Counter-Defendant Benchmark

Deputy Clerk: Betty Lee

PROCEEDINGS:

-Further CMC

SUMMARY:

The Court orally amended its 12/12/13 order (Docket #136) directing Defendant Abhyanker to file a supplemental statement to his Counterclaims identifying prior commercial use and attaching documentary exhibits by 12/26/13. Plaintiff Nextdoor.com's motion for Judgment on the pleadings and/or for summary judgment shall be filed by 1/9/14. Benchmark's motion to dismiss counterclaims shall also be filed by 1/9/14. Oppositions due 1/23/14. Replies due 1/30/14. Motions hearing set for 2/13/14 at 1:30 p.m. Such MSJ shall not exhaust Nextdoor.com's MSJ limit.

As stated on the record, defendant Abhyanker shall produce outstanding discovery on the deadline as ordered. Parties shall meet and confer to resolve all other unresolved disputes. Instead of filing formal discovery motions, parties shall refer to this Court's standing order to meet and confer and submit joint letter on unresolved issues to the Court. Discovery on trade secrets is deferred until dispositive motions are resolved.

10-court day jury trial scheduled for 12/1/14 at 8:30 a.m. Court to issue CMC and Pretrial Order. Status conference set for 2/13/14 at 1:30 p.m. Other ADR options and further discovery to be discussed at that time. An updated **joint** status report shall be filed by 2/6/14.